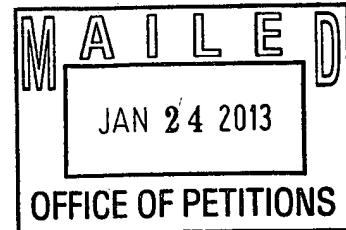




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SANTA MONICA, CA 90404**



In re Patent No. 7,348,961 :  
Issue Date: March 25, 2008 :  
Application No. 09/258,601 : DECISION ON REQUEST FOR REFUND  
Filed: February 26, 1999 :  
Attorney Docket No. UNIFY 99.01 :  
:

This is a decision on the Request For Refund filed December 4, 2012.

The request is **DISMISSED**.

Applicant files the above request for refund and states that "This letter is a request for a refund for **only the surcharge** paid on 4/24/2012 for patent #7348961 (Application #9258601) in the amount of \$1640. I do want to keep the patent active. For reason yet to be determined the revocation of the power of attorney for this account has not been unprocessed by the USPTO since well before 4/24/12. I have made numerous attempts to consolidate my filings/patents under my customer # 105007 including a 3/29/12 change of address. Everyone I have dealt with at the USPTO has been very helpful and knowledgeable but unfortunately this problem has still not been resolved."

A review of Office records show that a revocation of power of attorney was filed on April 21, 2011 and accepted on May 6, 2011. A request for withdrawal as attorney or agent and change of correspondence address was filed on December 28, 2011, which certifies the below:

1. I/We have given reasonable notice to the client, prior to the expiration of the response period, that the practitioner (was) intend to withdraw from employment.
2. I/We have delivered to the client or a duly authorized representative of the client all papers and property (including funds) to which the client is entitled.
3. I/We have notified the client of any responses that may be due and the time frame within which the client must respond.

The request for withdrawal was signed by Huw R. Jones on behalf of himself and withdrawing practitioners associated with customer no. 27667 appointed by inventor on April 21, 2011.

Applicant is encouraged to note that, "Under the statute and regulations, the Office has no duty to notify patentees of the requirement to pay maintenance fees or to notify patentees when the maintenance fees are due. The Office's mailing of Maintenance Fee Reminders is carried out strictly as a courtesy. Accordingly, it is solely the responsibility of the patentee to assure that the maintenance fee is timely paid to prevent expiration of the patent. The lack of knowledge of the requirement to pay a maintenance fee and/or the failure to receive the Maintenance Fee Reminder will not shift the burden of monitoring the time for paying a maintenance fee from the patentee to the Office."

Further, a petition under 37 CFR 1.378(c) was filed and granted on April 24, 2012, which requires a surcharge after expiration fee of \$1640.00.

Regrettably and in view of the above, the request for refund is dismissed.

Any questions concerning this matter may be directed to the undersigned at (571) 272-3208.

/koc/  
Karen Creasy  
Petitions Examiner  
Office of Petitions